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1700

Application no. 09/891,861

SECTOR 100

September 26, 2001

TO:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

FROM: George O. Saile, Reg. No. 19,572
20 McIntosh Drive
Poughkeepsie, N.Y. 12603

SUBJECT: Serial #: 09/891,861
File Date: 6/25/01
Inventor: Chang, R.
Examiner: K. Chen
Art Unit: 1765
Title: Coaxial Dressing For Chemical Mechanical Polishing

RECEIVED
OCT 16 2001
TC 1700

PETITION IN RESPONSE TO OMITTED ITEMS

This is in response to the Notice Of Omitted Items in a Nonprovisional Application we received on July 26, 2001. We contend that the drawings that were stated as being omitted were deposited to the USPTO with the nonprovisional application. We have enclosed a copy of the stamped postcard. In addition, a phone call with Tim Williams of the Customer Service Center at the PTO on September 25, 2001 confirmed that the drawings were included in the original mailing as he found them present when he reviewed the case.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 26, 2001.

Signature 
Stephen B. Ackerman, Reg. No. 37,761

Date: 9/26/01

J. Chang

11586-118CB

6/22/01

06/22/2001

Carbide Dressing For Chemical Mechanical
Polishing

J1040 U.S. PTO
09/891861



06/25/01

Divisional Application

\$ 710

11 Total claims

1 Independent

4 Sheets

Filed by PTO



Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

| | |
|----------------------|-------------|
| Application Number | 09/891,861 |
| Filing Date | 6/25/01 |
| First Named Inventor | Chang, R. |
| Examiner Name | K. Chen |
| Group Art Unit | 1765 |
| Attorney Docket No. | V1586-118CB |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0033

Deposit Account Name George O. Saile

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|-------------------------------|----------|
| 101 | 710 | 201 355 Utility filing fee | |
| 106 | 320 | 206 160 Design filing fee | |
| 107 | 490 | 207 245 Plant filing fee | |
| 108 | 710 | 208 355 Reissue filing fee | |
| 114 | 150 | 214 75 Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** = | X = | |
| Multiple Dependent | - 3** = | X = | |

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|---------------|---------------|--|
| 103 | 18 | 203 9 Claims in excess of 20 |
| 102 | 80 | 202 40 Independent claims in excess of 3 |
| 104 | 270 | 204 135 Multiple dependent claim, if not paid |
| 109 | 80 | 209 40 ** Reissue independent claims over original patent |
| 110 | 18 | 210 9 ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

| Large Entity Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------------------|---------------|---|-----------------|----------|
| 105 | 130 | 205 65 Surcharge - late filing fee or oath | | 05 |
| 127 | 50 | 227 25 Surcharge - late provisional filing fee or cover sheet | | 16 2001 |
| 139 | 130 | 139 130 Non-English specification | | 00 |
| 147 | 2,520 | 147 2,520 For filing a request for ex parte reexamination | | 100 |
| 112 | 920* | 112 920* Requesting publication of SIR prior to Examiner action | | |
| 113 | 1,840* | 113 1,840* Requesting publication of SIR after Examiner action | | |
| 115 | 110 | 215 55 Extension for reply within first month | | |
| 116 | 390 | 216 195 Extension for reply within second month | | |
| 117 | 890 | 217 445 Extension for reply within third month | | |
| 118 | 1,390 | 218 695 Extension for reply within fourth month | | |
| 128 | 1,890 | 228 945 Extension for reply within fifth month | | |
| 119 | 310 | 219 155 Notice of Appeal | | |
| 120 | 310 | 220 155 Filing a brief in support of an appeal | | |
| 121 | 270 | 221 135 Request for oral hearing | | |
| 138 | 1,510 | 138 1,510 Petition to institute a public use proceeding | | |
| 140 | 110 | 240 55 Petition to revive - unavoidable | | |
| 141 | 1,240 | 241 620 Petition to revive - unintentional | | |
| 142 | 1,240 | 242 620 Utility issue fee (or reissue) | | |
| 143 | 440 | 243 220 Design issue fee | | |
| 144 | 600 | 244 300 Plant issue fee | | |
| 122 | 130 | 122 130 Petitions to the Commissioner | | 130 |
| 123 | 50 | 123 50 Petitions related to provisional applications | | |
| 126 | 240 | 126 240 Submission of Information Disclosure Stmt | | |
| 581 | 40 | 581 40 Recording each patent assignment per property (times number of properties) | | |
| 146 | 710 | 246 355 Filing a submission after final rejection (37 CFR § 1.129(a)) | | |
| 149 | 710 | 249 355 For each additional invention to be examined (37 CFR § 1.129(b)) | | |
| 179 | 710 | 279 355 Request for Continued Examination (RCE) | | |
| 169 | 900 | 169 900 Request for expedited examination of a design application | | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY

| | | | | | |
|-------------------|----------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Stephen B. Jefferson | Registration No. (Attorney/Agent) | 37,761 | Telephone | 845-452-5863 |
| Signature | Date 9/26/01 | | | | |

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/891,861 | 06/25/2001 | Randy C.H. Chang | VIS86-118CB |

CONFIRMATION NO. 4479

FORMALITIES LETTER



OC00000006345137

George O. Saile
20 McIntosh Drive
Poughkeepsie, NY 12603

Date Mailed: 07/26/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 3,4 & 5 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed to the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

10/01/2001 HN00R1 00000104 190033 09891861

01 EC+122 - 130.00 CR

Adjustment date: 03/15/2002 RN:GUYEN1
10/01/2001 HN00R1 00000104 190033 09891861
01 EC+122 - 130.00 CR

*A copy of this notice **MUST** be returned with the reply.*

[Signature]

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE